



Attorney Docket No. 80914/LPK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jiann-Hsing Chen, et al.

Group Art Unit: 1773

Examiner: Ramsey E. Zacharia

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I hereby certify that this correspondence is being
deposited today with the United States Postal Service as
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Commissioner for Patents, Washington, D.C. 20231.

Serial No. 09/558,239

Carmen V. Nersinger
Carmen V. Nersinger

Filed: April 24, 2000

Date: *January 7, 2003*

Commissioner for Patents
Washington, D.C. 20231

Sir:

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**

The owner, NexPress Solutions LLC of the entire interest in the instant application, hereby disclaims except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 through 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 5,595,823 and 5,582,917. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 through 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer, in the event that either of the prior patents hereafter: expires for failure to pay a

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maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The Commissioner is hereby authorized to charge any fees in connection with this communication to NexPress Solutions LLC, Deposit Account No. 50-1466.

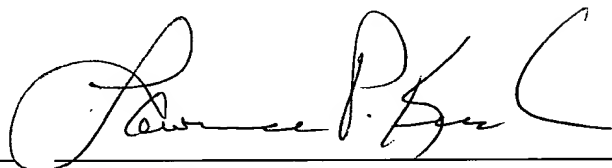
A duplicate copy of this request is enclosed.

☒ The undersigned is an attorney of record.
(If this box is not checked do not use this form.)

01-07-03

Date

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